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Wednesday, November 30, 2011

The Honourable NOËL A. KINSELLA
Speaker

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Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

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THE SENATE

Wednesday, November 30, 2011

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

EID ON THE HILL

Hon. Salma Ataullahjan: Honourable senators, I would like to take this opportunity to commend the Minister of Citizenship, Immigration and Multiculturalism for hosting the Eid on the Hill event, which took place one week ago today. Working with two incredible groups — the Association of Islamic Charitable Projects and the India-Canada Organization — Minister Kenney welcomed over 200 members of the Muslim community in Canada to Parliament Hill to celebrate the recent holiday of Eid-al-Adha, as well as the contributions of Muslim Canadians to the building of our country.

The extraordinary event served as an occasion of mutual enrichment for all who attended and showcased a great source of pride for Canadians — our multiculturalism. Truly, a part of being Canadian is to know each other and to celebrate our differences.

At the event, I had the honour of introducing the Right Honourable Stephen Harper, who was attending his first Eid celebration in his capacity as Prime Minister. The Prime Minister recognized the many contributions of Muslims to Canada's success as a growing and vibrant country and the importance of pluralism and religious freedom to our common values.

He stated that "our incredible cultural diversity is one of Canada's greatest assets. The harmony and vitality that characterize our Canadian diversity are part and parcel of what defines us as a free, democratic country. Together, we are building a stronger and more united Canada."

The Eid on the Hill event exemplified the true Canadian spirit: that integration does not mean assimilation, but sharing — a sharing of diverse values and traditions. It demonstrated that, regardless of background or faith, ethnicity or culture, we can come together as Canadians, that we are united in our diversity.

I greatly appreciated the efforts of Minister Kenney and the presence of the Prime Minister, and I look forward to next year's event. I truly hope that Eid on the Hill becomes a new Canadian tradition.

INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Hon. Mobina S. B. Jaffer: Honourable senators, November 25 marked the International Day for the Elimination of Violence Against Women. This day also launched the 16 days of Activism Against Gender Violence.

According to the World Health Organization, at least one out of three women around the world has been beaten, raped or otherwise abused in her lifetime with the abuser usually being someone known to her.

Although violence against women is an issue that all women across Canada face, sadly, Canadian Aboriginal women are disproportionately affected. Canadian Aboriginal women are three times more likely than Canadian non-Aboriginal women to experience violent victimization.

Honourable senators, this is simply not acceptable. We cannot sit back and allow Canadian women to suffer in our own backyard. During the next two weeks, while we reflect upon eliminating violence against women, we should reflect upon ways in which we can help those who are the most vulnerable in our society.

Over the past few weeks, the Standing Senate Committee on Human Rights has been studying Bill S-2, which deals with matrimonial real property on reserves. During this study, the committee has heard about the exceedingly vulnerable positions that Canadian Aboriginal women are routinely placed in.

One witness who has been in my thoughts and prayers since Monday is a brave woman named Rolanda Manitowabi, who shared with our committee her personal stories and experiences. She opened up her wounds to the committee to help other Aboriginal women. She spoke of how she often felt scared and helpless when her relationship with her husband became stressful and strained. After five years, Ms. Manitowabi decided to end her relationship. Since she did not have access to the same resources that many of us often take for granted, she was forced to continue to live with her ex-husband, as this was a better alternative than being homeless.

After living in constant fear for six months under the same roof as her ex-husband, Ms. Manitowabi came home one day and found that her keys no longer worked. Ms. Manitowabi and her son were left with no place to go, helpless and scared.

Honourable senators, Ms. Manitowabi's story is but one example of the dire situation Canadian Aboriginal women are placed in. As a country, we need to unite and provide resources for Canadian Aboriginal women. We need to invest in resources so Canadian Aboriginal women like Ms. Manitowabi can access justice. We need to create safe homes so Canadian Aboriginal women who have been victims of violence have a safe place to go.

Honourable senators, while we reflect on ways we can eliminate violence against all women, let us not forget our Canadian Aboriginal women like Ms. Manitowabi, who desperately need resources to help them run away from violence.

GENOME CANADA

Hon. Kelvin Kenneth Ogilvie: Honourable senators, over the last 10 years, and with substantial support from the Government of Canada, Genome Canada has established a research backbone to advance a relatively young science: the study of the DNA makeup of living organisms. Genome Canada is a leader in Canada in cultivating an extraordinary scientific venture with commercial, academic and research operations that stretch across all regions and into the country's most important sectors: health care, agriculture, energy, environment, forestry, fisheries, technology and mining.

The Prime Minister has noted that "science powers commerce." Genomic science is a different engine of economic growth for Canada that is generating commercially viable opportunities for Canadians everywhere.

• (1340)

In the last 10 years, Genome Canada has helped developed 155 large-scale scientific endeavours, helped create five world-class science and technology innovation centres, and encouraged the growth of more than 20 companies.

More than 10,000 highly skilled jobs have been created. Genomic research has more than 350 patent applications, along with 24 licence agreements.

Canadian scientists have contributed to research that improves the safety of medicine and the security of Canadian food supplies, and produces viable bio-materials to produce energy.

Honourable senators, this government can be proud of its investment of more than \$915 million in genomic science over the past 10 years. Genome Canada has raised matching funds from provincial governments and agencies, international non-governmental organizations and research institutes, industry, universities and research hospitals, resulting in more than \$2 billion in total funding in support of significant new projects in Canada of national and international importance.

On Monday, December 5, please join some of Canada's most brilliant scientists at a special exhibit, Genomics on the Hill, which will give parliamentarians the opportunity to get to know this new frontier of research in Canada. I invite all senators to join us in room 256-S between 4 p.m. and 8 p.m.

ROUTINE PROCEEDINGS

CANADA-AFRICA PARLIAMENTARY ASSOCIATION

BILATERAL VISITS, OCTOBER 9-14, 2011—
REPORT TABLED

Hon. Terry Stratton: Honourable senators, on behalf of Senator Andreychuk, I have the honour to table, in both official languages, a report of the Canadian parliamentary delegation of the Canada-Africa Parliamentary Association, respecting its bilateral visits to Ethiopia and Senegal from October 9 to 14, 2011.

CANADA-CHINA LEGISLATIVE ASSOCIATION CANADA-JAPAN INTER-PARLIAMENTARY GROUP

GENERAL ASSEMBLY OF THE ASIA-PACIFIC
PARLIAMENTARIANS' CONFERENCE
ON ENVIRONMENT AND DEVELOPMENT,
JUNE 6-9, 2011—REPORT TABLED

Hon. David Tkachuk: Honourable senators, I have the honour to table, in both official languages, the report of the joint Canadian parliamentary delegation of the Canada-China Legislative Association and the Canada-Japan Inter-parliamentary Group, respecting its participation in the Fifteenth General Assembly of the Asia-Pacific Parliamentarians' Conference on Environment and Development held in Kuala Lumpur, Malaysia, from June 6 to 9, 2011.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

Hon. Mobina S. B. Jaffer: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights have the power to sit at 4 p.m. until 8 p.m. on Monday, December 12, 2011, even though the Senate may then be sitting and that Rule 95(4) be suspended in relation thereto.

QUESTION PERIOD

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

SERVICES IN ATTAWAPISKAT FIRST NATION

Hon. Sandra Lovelace Nicholas: Honourable senators, my question is for the Leader of the Government in the Senate. The crisis at Attawapiskat was known to the government as early as a month ago. Finally, the Red Cross stepped in yesterday to offer assistance to the people. Canadians have been asking if the government is embarrassed by the fact that the Red Cross stepped in, while the government appeared to be reluctant to get involved.

I ask the leader today: Why has it taken the Harper government so long to respond to the needs of the people of this community?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the answer is no, we are not embarrassed by the activities of the Red Cross. We thank the individuals from the Red Cross, who I understand have just, in the last few days, arrived in the community.

As I pointed out yesterday, the situation in Attawapiskat is obviously very troubling. No one likes to see any of our citizens living in conditions such as they are living in at the present

time. That is why the government has people in the community. Minister Duncan, as I reported yesterday, has officials from Aboriginal Affairs on the ground and they are making good progress in ensuring that the people there are appropriately housed and have their other needs looked into.

I do not think this is a case, honourable senators, of getting into one-upmanship with various agencies. We are delighted the Red Cross is there. As honourable senators know, the federal government has involvement in this reserve, as does the provincial government. I think all groups who are concerned about the conditions and the well-being of the people are to be applauded for being there and trying to help.

Some Hon. Senators: Hear, hear.

[*Translation*]

Hon. Marie-P. Poulin: Honourable senators, my question is for the Leader of the Government in the Senate. Obviously, all senators are very concerned when they see the living conditions of the Canadians in Attawapiskat on their televisions. It is truly a national shame.

It is difficult to reconcile the living conditions of these people with what we heard yesterday in the Senate. The leader said that the government has invested \$92 million — she did say “invested” — in the community. Yet the government recognized the urgency of the situation.

How does the government explain that the living conditions in a community like Attawapiskat deteriorated with a \$92 million investment, not to mention the fact that we have been hearing for three years that there is an urgent housing situation in this community?

[*English*]

Senator LeBreton: First of all, as I pointed out to honourable senators yesterday, it was an investment in the community that was made by the government through the Department of Aboriginal Affairs. As the Prime Minister stated in the other place, something is seriously amiss here. It is hard to imagine how monies expended to assist the people, intended to improve their quality of life, could yield the results that we saw on television.

The fact is — and there have been some newspaper articles published on this subject today — there is clearly something seriously wrong. I would hope that, as officials from the Department of Aboriginal Affairs are doing their work in the community, they are also trying to ascertain how this went so horribly wrong.

• (1350)

[*Translation*]

Senator Poulin: Honourable senators, could the leader tell us how the government plans on looking into the nature of the discrepancy between that amount of money and the declaration of a state of emergency, a number of times, in the past three years? Will there be an investigation?

[Senator LeBreton]

[*English*]

Senator LeBreton: Honourable senators, I believe it is rather obvious that when the officials from the Department of Aboriginal Affairs are there, over time, once they have resolved the issue of ensuring that the population is located in clean, warm, secure homes, they will follow up and do an in-depth study, hopefully not taking too much time to find out exactly what went wrong.

As I mentioned yesterday, considering the amount of money that was put in by the federal government, as well as the resources that go into the community from the provincial government and also from the proceeds of a casino in the North, something is seriously wrong here. There is no denying that. I am quite sure that once the minister has determined what is fact and what has happened here, he will let us all know.

Senator Poulin: Honourable senators, I have a supplementary question.

The Hon. the Speaker: I wish to inquire of the Honourable Senator Lovelace Nicholas, who asked her question in principle, whether the honourable senator had a supplementary.

She did not. Further supplementary from Senator Poulin.

Senator Poulin: I would like to thank the Leader of the Government for her comments.

If my memory serves me correctly, about a year ago this month, the government signed on to the United Nations Declaration on the Rights of Indigenous Peoples. I believe the declaration was adopted by the world body three years earlier, in 2007, but the Government of Canada signed on in 2010.

It seems to me that an earlier UN report noted that the condition of Aboriginal peoples was the most pressing human rights issue in Canada. As my colleague Senator Lovelace Nicholas said, the government seems to have shown no immediate interest as soon as the alarm bells went off in Attawapiskat.

Will the minister please explain to Canadians how the government intends to respond to the negative reaction we can expect from the UN, other world bodies and other countries in the face of the international media exposure to the graphic images of living conditions on the reserve going around the world as we speak?

Senator LeBreton: Honourable senators, the first priority of the government is to address the issues at hand, and that is ensuring that the residents of this reserve are properly housed and looked after. I believe that the reaction of others should be of concern to us, but the fact of the matter is that our government has a stellar record in all matters of our dealings with the Aboriginal file.

I might also point out that the chief of this reserve only declared a state of emergency a short period of time ago and, in retrospect, it is regrettable that we did not hear about this sooner. However,

having heard about it and having seen the pictures and having acted and sent officials there, I am quite sure that the issue at hand here is the care and comfort of the residents. We will let our action on this whole file speak for itself and not what one organization or another might say.

The Hon. the Speaker: I will recognize Senator Plett on a supplementary and then Senator Munson.

Hon. Donald Neil Plett: Honourable senators, I would like to ask my leader a question.

As Senator Poulin pointed out, this problem in Attawapiskat has been going on for some three years. I found it strange, when I watched the news two days ago, that the Assembly of First Nations Grand Chief Atleo made a comment in this regard. For something that has been going on for three years, one would have thought the grand chief would have been up there many times, yet his comment was that he is shocked and appalled when he sees the pictures of what is going on in Attawapiskat. For the grand chief to be shocked would also mean he is surprised.

Would it not be the leader's opinion that the Grand Chief of the Assembly of First Nations should be well aware of what is going on in all of his communities across the country? Why would he have been surprised at this?

Senator LeBreton: Honourable senators, I did see the comments of the grand chief, and obviously he was reacting much like most Canadian citizens are to the circumstances in which these individuals find themselves. I have not seen the actual report, and I did not read about it. However, on one of the trailers on the TV screen last night I did see that he actually expressed the hope that a situation like this would raise awareness about the living conditions in some of these communities, and that there is every reason to hope that proper actions will be taken to address these, now and into the future.

Hon. Jim Munson: Honourable senators, for the record, there are over 500 reserves in this country. Grand Chief Atleo has done an admirable job in his capacity as a chief.

Speaking of grand chiefs, and the Prime Minister, since a state of emergency has been declared in that area, when states of emergency are declared, prime ministers normally go to those locations. Usually the emergencies are the physical kind, such as natural disasters and that sort of thing. This is a state of emergency of humankind. A challenge has been issued to the Prime Minister by the official opposition in the other house to go there and take a good look for himself.

As a former reporter, I have had similar experiences in Davis Inlet and have seen what has happened in such areas. Reporters go to those places and try to sensitize the public to what has gone on. In this state of emergency, would the leader encourage the Prime Minister to go there?

Senator LeBreton: Honourable senators, the situation is being handled in the appropriate way. The Minister of Aboriginal Affairs has dispatched experts and officials from the Aboriginal

Affairs Department to go there. They are there. They are on the ground. They are trying to deal with a very serious situation, with the help of the Red Cross, where people's lives are very much inconvenienced and people are living in squalid conditions.

I do believe, senators, that the important thing here is that these people are quickly and immediately looked after, provided clean, safe, warm living conditions. I believe the government and the officials are taking the appropriate actions.

• (1400)

Hon. Roméo Antonius Dallaire: Honourable senators, with the Prime Minister going up North as often as he does, it is surprising that he has not seen any of this himself and has maybe given some direction to the Minister of Aboriginal Affairs and Northern Development. I learned that leadership, contrary to management, means being up front in the midst of a crisis attempting to bring solace and support to those in need, not sitting at home fiddling with paperwork and the media out of an office. There is a leadership role that is not being fulfilled by the Prime Minister.

Suggested amounts of the money invested have been floating around — \$50 million and \$90 million over three years — like an accusatory instrument of mismanagement because we want to know where that money went. Surely Aboriginal Affairs and Northern Development know exactly where the money went because they disburse that money.

However, having conducted operations in the North, we know that one has to expect at least 10 times the cost of conducting an operation down here. Whatever it costs up North has to include the cost of building and sustaining. The cost of simply getting people in and out is exponentially more expensive than it is here. Why have we not heard the discussion about how expensive it is up North and how one cannot buy as much in the North for the same amount of money as one can buy here? Can we see that analysis included in the response from the government regarding the cost of operating up North?

Senator LeBreton: First, putting on the record the amount of money expended by the government in the community is not an accusatory statement; it is a statement of fact.

Second, Aboriginal Affairs and Northern Development is a huge department with a tremendously large budget. Obviously, the government works very hard. I have read into the record many times, and will do so again if the honourable senator so wishes, the record of the government since taking office in 2006. The honourable senator mentioned and knows full well, and I put on the record yesterday the amount of money, that there is no system of accountability. We had a private member's bill in the last Parliament, which we are now bringing in as a government bill in this Parliament, proposing a law that will force the leadership of Aboriginal reserves and communities to account for the hard-working taxpayers' dollars expended on their behalf; that is only reasonable.

We have officials up there not so much to try to figure out what happened to the money; rather, their first priority, and their only priority now, is the comfort of and caring for individuals in the community. Down the road, when future monies expended on

various reserves and Aboriginal communities fall under the new law, I will be able to rise in this place and answer to the question: What happened to the money? At the moment, there is no mechanism in place to ensure that the leadership on reserves is accountable to anyone, I guess, other than themselves.

Senator Dallaire: The honourable leader's regime has been in power for five years. Maybe it will pick up the numbers soon and sort that out.

Honourable senators, it is rather interesting that as we see close to 2,000 people in crisis, potentially even freezing to death, we are talking about the money invested. The first thing to do in a situation is to look internally, find the answer and perhaps keep it to yourself instead of talking about the big money spent and wondering aloud what they did with that money while people are freezing in a field. That is a direct derogatory position to take.

We had troops on the ground in Haiti, where it was 40 Celsius, faster than even the Red Cross, which was the first plane in, reached Attawapiskat. Can the leader say why the government did not deploy a capability much sooner given that this is a state of emergency and meets the criteria for aid to civil power, to which the Canadian Forces are dedicated as one of their missions? Why did we not move assets in there much sooner to stabilize the situation and then look at solving the problem?

Senator LeBreton: We became aware of the situation in the North, which has garnered some attention. It is important to deal with the situation that we face. We had a unique situation in Haiti, and I do not see how we can compare that set of needs with the set of needs in this northern community. We put officials on the ground in the community. We dealt with such a situation before in Kashechewan a couple of years ago.

The primary and only priority at the moment for the government is to ensure that the residents of Attawapiskat are provided with safe, warm, clean living conditions. Once we have assured that, we can start to assess how this situation happened in the first place.

The honourable senator and anybody who is or has been in government know how complex and difficult these issues are. Once the grave situation became known, officials from Aboriginal Affairs and Northern Development Canada were sent to the community. The Red Cross then arrived; and we thank them for their efforts. The Ontario government has people there as well. With the collective efforts of our government, the Ontario government and the Red Cross, the important issue of the safety and security of the residents can be the only thing we can deal with at the moment.

Obviously, as I said in answer to the question from Senator Poulin, with the kind of resources and investment we have made in the community, something clearly has gone wrong. In due course, Minister Duncan will be able to advise Parliament on what went wrong and on what will be done in the future to ensure that it does not happen again.

Senator Dallaire: There is nothing like having a crisis and the first thing done is to send up a bunch of officials to do an

assessment. They use up whatever space and resources are available for other people and bring nothing concrete to the emergency. I lived the experience in Africa. When the genocide started, I had hundreds of assessment people coming in to see what we needed. I needed food, medical supplies, sheeting and wood for 4 million people. I did not need an assessment team; I needed food, fuel and water supplies. That should have been the priority.

We do not need a bunch of civil servants in Attawapiskat to do assessments and use up the very limited existing resources so they can give us all those great statements. We need troops on the ground, resources, heat, water, supplies and sleeping bags. Then, the government can send in the assessors, and they can take the next 20 years trying to figure out what happened.

Why do not we do that?

• (1410)

Senator LeBreton: Honourable senators, despite Senator Dallaire's derogatory comments about civil servants, they are doing all the things he has suggested we should be doing. I believe they are up there with blankets, heaters, food, medicine and sleeping bags.

An Hon. Senator: That is the Red Cross.

Senator LeBreton: No, it is not only the Red Cross and anybody who knows anything about how these things operate knows that is not the case.

We have good public servants up there who are doing exactly what the honourable senator has suggested should be done.

Hon. Patrick Brazeau: My question is for the Leader of the Government in the Senate. I cannot believe that at my young age I will be giving honourable senators a little history course.

In 2001, the former Liberal government introduced legislation called the First Nations governance act, which would have brought more accountability to First Nations communities. In 2003, while the leadership change was going on in that party, they decided to kill their own legislation.

Fast forwarding to 2004-05, there was the so-called Kelowna process where for 18 months we discussed issues like education, housing, economic development and — get this — accountability.

Some Hon. Senators: You killed it.

Senator Brazeau: It was the former prime minister, the leader of that party, who, one day before the meeting in Kelowna, decided to take away the accountability provisions. Therefore, we will not take any courses on accountability measures from those on the other side.

Obviously, as a First Nations person, I am concerned about the images we are seeing in that community. It is unfortunate, but that is only one piece of the puzzle. The other piece is

accountability, for which there is no mechanism in the Indian Act. Under this and previous governments, we absolutely do not know where the money is going.

Has the chief yet made public the financial information with respect to funding already received that officials have requested?

Senator LeBreton: I thank Senator Brazeau for the question. I do not know what the results are of the request made by the minister to the chief of the reserve, but I would be very happy to provide a written response.

Hon. Gerry St. Germain: Honourable senators, my question is directed to Leader of the Government in the Senate as well.

I hate to see this become a partisan issue, because it weakens all of us. We all have a responsibility to our Aboriginal people. Historically, the two parties that are in here have governed this country, and look at the damage that has been done. We have killed the spirit, the heart and soul of these people. They have become people of a lesser god.

Some Hon. Senators: Shame.

Senator St. Germain: Why are we making this a political football? Why are we not dealing with this as Canadians? Each and every one of us has a responsibility. I have a firm belief, which possibly comes in part from experience, that only education will make the difference.

I worked with the present Prime Minister and with former prime ministers from both sides, and all of them have had good intentions for these people. Unfortunately, the results have not been good. I went to the Prime Minister on specific claims and his legislation nearly mirrored the Senate report.

How does the Leader of the Government in the Senate see us proceeding with the very basic question of education? The national panel is doing its work and our committee will be presenting its report soon. Will the government leader, who is our representative in cabinet, tell us how she thinks this will proceed? It is so very important.

Senator LeBreton: I thank Senator St. Germain for the question. He is quite right; this is a serious issue for all Canadians to address. Unfortunately, it often takes on a political connotation. Senator St. Germain, with his Metis background, and Senator Brazeau, as well as people in this government and previous governments have all worked seriously to address these issues. This is an example of where throwing massive amounts of money at a problem does not work.

Our government, starting with Minister Jim Prentice, then with Minister Chuck Strahl and now with Minister Duncan, has built a very good working relationship with many people in the community to try to better life for our Aboriginal citizens, our first citizens, by the way. Senator St. Germain knows this because he has been party to many of these discussions.

As I mentioned before, our government is working with very willing partners to improve the quality of life for Aboriginals. We signed a joint action plan with the AFN that focuses on four key areas: economic development, good governance, education, and negotiation and implementation. We have a national panel on education that will make recommendations by the end of the year, and they are mindful of the study being conducted by the Senate committee under the leadership of Senator St. Germain. We continue to work with provinces and territories on tripartite agreements with First Nations. Through all of this we are making significant investments in social, educational and economic development programs. We have achieved practical solutions and results. There are obviously still some very serious areas of concerns, such as the one we are currently witnessing.

As the honourable senator has pointed out many times, many of the reserves with which we are concerned are in Western Canada, particularly Manitoba, Saskatchewan and Alberta. It makes no sense that young, able-bodied people living on reserves are not funneled into the proper education systems because in all of these provinces we have labour market shortages. It makes no sense that these people are not part of our fabric going forward as we develop the West.

The situation in Northern Ontario is unique as there are not quite the same economic conditions and opportunities as there are in the Prairie provinces.

Thanks to the efforts of Senator St. Germain, Senator Brazeau and others, the government is taking this issue seriously. We will work very hard to find proper solutions. One of the measures we are working on is the new legislation we are bringing in that will hopefully provide accountability so that people will have a sense of where and how the money is being spent.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling for delayed answers, I wish to draw your attention to the presence in the gallery of parliamentary colleagues from three Baltic states, in particular, Mr. Marko Mikhelson, Chairperson of the Parliamentary Foreign Affairs Committee of the Republic of Estonia; Mr. Romualds Razukis, Chairperson of the Parliamentary Foreign Affairs Committee of the Republic of Latvia; and Mr. Emanuelis Zingeris, Chairperson of the Parliamentary Foreign Affairs Committee of the Republic of Lithuania.

On behalf of all honourable senators, welcome to the Senate of Canada.

Hon. Senators: Hear, hear.

• (1420)

[Translation]

ORDERS OF THE DAY

MARKETING FREEDOM FOR GRAIN FARMERS BILL

MOTION TO AUTHORIZE AGRICULTURE AND FORESTRY COMMITTEE TO STUDY SUBJECT MATTER—MOTION IN AMENDMENT—MOTION WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Plett, seconded by the Honourable Senator Patterson:

That, in accordance with rule 74(1), the Standing Senate Committee on Agriculture and Forestry be authorized to examine the subject-matter of Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts, introduced in the House of Commons on October 18, 2011, in advance of the said bill coming before the Senate;

And on the motion in amendment of the Honourable Senator Chaput, seconded by the Honourable Senator Mahovlich, that this motion not now be adopted, but that it be amended by adding:

“and, if the Committee decides to hold hearings on the subject matter of Bill C-18, it give consideration to hearing from all the thirteen current Directors of the Canadian Wheat Board.”

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, rule 74(1) allows for the study of the subject-matter of a bill that has not yet been received from the House of Commons. Since the Senate has now received Bill C-18, it would be appropriate to focus on studying the bill itself. I therefore seek leave of the Senate to withdraw Motion No. 16.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

(Motion withdrawn.)

RAILWAY SAFETY ACT CANADA TRANSPORTATION ACT

BILL TO AMEND—THIRD REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Day, for the adoption of the third report of the Standing Senate

Committee on Transport and Communications (Bill S-4, An Act to amend the Railway Safety Act and to make consequential amendments to the Canada Transportation Act, with an amendment), presented in the Senate on November 24, 2011.

Hon. Claude Carignan (Deputy Leader of the Government): I move the adoption of the third report of the Standing Senate Committee on Transport and Communications.

The Hon. the Speaker: I think, honourable senators, that it is sufficient for the chair to ask whether the honourable senators are ready for the question. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Carignan, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[English]

FAMILY HOMES ON RESERVES AND MATRIMONIAL INTERESTS OR RIGHTS BILL

FOURTH REPORT OF HUMAN RIGHTS COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Human Rights (Bill S-2, An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves, with amendments and observations), presented in the Senate on November 29, 2011.

Hon. Mobina S. B. Jaffer moved the adoption of the report.

She said: Honourable senators, the Standing Senate Committee on Human Rights, to which Bill S-2, Family Homes on Reserves and Matrimonial Interests or Rights Act, was referred, has examined the said bill and now reports the same with amendments.

Pursuant to rule 99, as the presenter of the report it is my responsibility to explain to the Senate the basis for and the effect of each amendment.

Clause 17(8), in its original form, stated:

On a rehearing, the court may, by order, confirm, vary or revoke the order made under section 16, but may only extend the duration of the order for up to 90 days beyond the period of 90 days referred to in subsection 16(1).

Clause 17(8) has been amended to state:

On a rehearing, the court may, by order, confirm, vary or revoke the order made under section 16, and may extend beyond the period of . . .

Clause 18(2), in its original form, stated:

The court may, by order, confirm, vary or revoke the order, but may only extend the duration of the order for up to 90 days beyond the period of 90 days referred to in subsection 16(1).

Clause 18(2) has now been amended to state:

The court may, by order, confirm, vary or revoke the order, and may extend the duration of the order beyond the period of 90 days referred to do in subsection 16(1).

Honourable senators, clause 16(1) of Bill S-2 states:

On *ex parte* application by a spouse or common-law partner, a designated judge of the province in which the family home is situated may make an order for a period of up to 90 days . . .

This clause provides those who are at immediate risk of harm with the protection they require. Although the emergency protection order under clause 16(1) lasts for a period of 90 days, Bill S-2, in its current amended form, now allows for this order to be extended, subject to the discretion of a judge upon rehearing.

Minister Duncan, when speaking to Bill S-4, which was this bill's previous incarnation, stated:

. . . this proposed legislation is the right thing to do [because it] affords residents of First Nation communities a level of protection similar to that enjoyed by other Canadians.

Honourable senators, Bill S-2, in its original form, did not do this, as it failed to provide Aboriginal women and men with a level of protection similar to that enjoyed by other Canadians.

During our committee's study of Bill S-2 we heard from a number of witnesses who stated that limiting emergency protection orders to a period of 180 days was problematic as it would fail to provide Aboriginal women with the protection they require.

In addition, placing a limitation of 180 days of protection also was not consistent with the protection provided to non-Aboriginal people.

Honourable senators, the majority of Aboriginal people reside in the provinces of British Columbia, Alberta, Saskatchewan, Manitoba and Ontario.

In British Columbia, the Family Law Act of 2011, section 183, deals with orders respecting protection. Section 183(4) states:

Unless the court provides otherwise, an order under this section expires one year after the date it is made.

In Alberta, the Protection Against Family Violence Act in section 7 states:

Subject to subsection (2), a protection order must be granted for such specified duration as the judge considers appropriate in the circumstances.

In Saskatchewan, the Victims of Domestic Violence Act under section 3(4) states:

An emergency intervention order may be subject to any terms that the designated justice of the peace considers appropriate.

In Manitoba, The Domestic Violence and Stalking Act under section 14(1) states:

. . . the court may make a prevention order with any terms or conditions it considers appropriate to protect the subject or remedy the domestic violence or stalking . . .

In Ontario, under section 24(1) of the Family Law Act, it is stated:

. . . exclusive possession of the matrimonial home or part of it for the period that the court directs . . .

Although this order is not granted on an emergency basis, the act does note that family violence is taken into consideration when granting possession. In addition, this section also relies on the discretion of the judge.

Honourable senators, non-Aboriginal people residing in the provinces I have mentioned are not bound by 180 days of protection. Instead it is left to the discretion of the judge to establish the length of the protection order.

Since Aboriginal people are often placed in exceedingly vulnerable positions and experience great difficulty accessing justice, allowing a judge to use his or her discretion upon a rehearing would not only afford Aboriginal people with the same protections as many other Canadians, but would also provide them with the protection they often require.

During our study of Bill S-2, our committee had the opportunity to hear from Minister Duncan, who stated:

Bill S-2 is about rights and protection for people who need them . . . It is about responding to numerous calls for legislative action and, ultimately, it is about doing the right thing on behalf of all Canadians.

• (1430)

Honourable senators, granting Aboriginal people the same protections that are afforded to the rest of Canadians is the right thing to do. That is why our committee agreed, on division, to pass the amendments that I have just spoken of.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Carignan, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[Translation]

BUSINESS OF THE SENATE

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I seek leave to bring forward Inquiry No. 17 standing in the name of Senator Fox on the Notice Paper so that we may proceed with consideration of this inquiry immediately and then continue with the Orders of the Day afterwards.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling the next item, I would like to draw the attention of all honourable senators to the presence in the gallery of a number of guests of the Honourable Senator Fox, including Daniel Fox, Julianna Fox, John Fox, Melanie Marcotte, and Marie-Helen and Elizabeth Fox. On behalf of all honourable senators, we welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

[Translation]

CANADIAN ACCESS TO INFORMATION SYSTEM

INQUIRY—DEBATE ADJOURNED

Leave having been given to proceed to Inquiries, Inquiry No. 17:

Hon. Francis Fox rose pursuant to notice of November 2, 2011:

That he will call the attention of the Senate the importance of our Canadian Access to Information system and recent developments that imperil its effectiveness.

He said: Honourable senators, it is with considerable emotion that I rise here today to address you for one last time as a member of the Senate of Canada.

Two days from now, I will celebrate my 72nd birthday and I will have spent over 20 years on Parliament Hill since arriving here in Ottawa in 1969 as an assistant to the Right Honourable Pierre Elliott Trudeau.

[English]

The time has come not to turn a page or to start a new chapter, but to close the book on my parliamentary career, effective at midnight on December 2. During a period of twelve years in the House of Commons and six years in the Senate, I was given the great privilege of participating actively in the political life of our country.

[Translation]

I wanted to contribute my time and energy to the noble task of helping to build a fairer and more prosperous society in Canada, a legacy that we would be proud to pass on to future generations.

I gave it my best effort, not only as an MP and a senator, but also as a member of a large political party that has made its mark on the history of our country. Over the years, this commitment has allowed me to work alongside hundreds of colleagues, people of all political stripes who, although we did not always have the same objectives, always brought the same passion to our parliamentary life in the pursuit of their ideals for the benefit of Canadians.

Because of and thanks to them, I also came to know and appreciate Canadians from coast to coast to coast. Thus, I was able to better understand that, no matter where we are from, generally speaking, we all share the same values of mutual support that characterize our country, and the same aspirations for a better future for us all.

Like many of my contemporaries, I was drawn to serving our country in response to the appeal made by Pierre Elliott Trudeau in the late 1960s. He urged us to build a more just and even more prosperous society, one that would ensure a better place for all, regardless of their origin, gender or age.

The repatriation of the Constitution, the Charter of Rights and Freedoms, official bilingualism, social measures — Pierre Elliott Trudeau left an indelible mark on the history of our country. I am proud to have answered his call and made my modest contribution to the tremendous work he carried out for the common good.

His achievements are exceptional and are remembered together with those of Macdonald, Laurier, King, Saint-Laurent, Pearson, Clark, Mulroney, Chrétien and Martin, who all were able to rise to the challenges of their era. The Canada of today is the product of the relentless efforts of their successive administrations. Through their efforts and their dedication, they improved the lives of their contemporaries and left their successors a country that is still the envy of the entire world. And that is a challenge that every government of this country must continue to take up.

How could I have been involved in Canadian politics for the past 40 years without being engaged by the situation in Quebec?

I was born into an Irish-French family in Quebec, so I have direct experience with the Canadian duality. I have been in a position to appreciate its richness and also its complexity and fragility. Above all, I have been able to recognize the dangers posed by our inability to resolve certain differences that continue to create tension between our two communities. The challenge of national unity remains, and it is the responsibility of each successive government. It is up to each government to create winning conditions for federalism and to ensure that each generation renews its attachment to this great country.

The absence of Quebec's signature on our Constitution is a symbol of a serious rift to many, the extent of which cannot escape us. For almost 30 years this situation has cast a pall on the political landscape of our country and has been used by many to slow the building of an even stronger nation.

Previous attempts to resolve the issue should be commended. I salute in particular the attempts by Brian Mulroney to conclude the Meech Lake Accord. Not everyone on this side of the Senate agree with me, but I believe that Mr. Mulroney really did all he could to try to bring Quebec back into the Constitution.

We can only hope that new attempts will be made and will be successful. They could then help build a stronger nation.

[English]

Making a difference is what politics is all about. I leave Ottawa proud of having been involved in developing policies in a number of areas. Let me name a few: Telecom Canada, with its seminal influence on the film and broadcasting industries; and the three major museums, which have contributed so much to making our national capital a place Canadians want to visit and be proud of.

I was also very proud to be the minister who was given the privilege of sponsoring legislation making *O Canada* our national anthem. I am also proud to have been the minister to introduce cellular telephony into Canada; and perhaps the one piece of legislation I am most proud of is the access to information legislation, which I was charged with bringing to fruition.

[Translation]

The Access to Information Act, which was entrusted to me by Pierre Elliott Trudeau, is today one of the pillars of our democracy.

[English]

I fully recognize the commitment of Jed Baldwin in spearheading the access movement in Canada and also the proposed legislation introduced by Mr. Clark when he was Prime Minister. Our successor legislation was adopted thanks to the contribution of a few main parties.

[Translation]

This legislation deserves to be constantly updated and can only be updated with the cooperation of the government of the day. This pillar of our democracy calls for a constant recommitment by the authorities to ensure that transparency is part of our political DNA.

Under the Canadian Charter of Rights and Freedoms, we are equal before the law and we are protected from discrimination. The Access to Information Act allows Canadians to know what their government is doing and to make the government more accountable for its actions.

• (1440)

Nearly 30 years after the coming into force of the legislation, our access to information system needs to be reinvigorated in order to meet the challenges of the 21st century and remain effective. It often takes so long to process requests for information that it would seem the government is denying people information.

I would like the current Prime Minister to send a clear message to every component of the machinery of government: the culture of proactive disclosure of documents must take precedence over the culture of secrecy. Nothing could better serve the cause of access to information than a firm commitment on this from the government, the ministers and the deputy ministers. I have already suggested to the Leader of the Government in this chamber that departmental access to information performance be an integral part of the management evaluation criteria for the deputy ministers. If we believe it is important for Canada to help other countries to become more democratic, then it is important for Canada to maintain the tools it has developed to protect its own democracy.

We must each set out to leave a mark on public affairs, to ensure that our efforts make a difference, regardless of where we are or where we come from. I want to let the next generation know that serving as a parliamentarian in a provincial legislature, the Parliament of Canada or a city hall is a unique opportunity to make that difference.

I have been sitting in the Senate for six years, and let me say that I strongly believe in the concept of an upper chamber. There is a potential here that is not fully utilized, for a number of reasons. Like many, I would like there to be less partisanship in the upper chamber, and I was very happy to hear Senator St. Germain's approach. But I recognize, as a realist, that in the current context, this is not really possible when dealing with legislation. I would like to say that our Access to Information Act, which was passed under a majority regime, was considerably improved by the amendments suggested by the opposition parties. Openness and better legislation go hand in hand, since no party has a monopoly on the truth.

However, things seem particularly promising in the Senate committees. Whether it is the Standing Committee on Transport and Communications, chaired by my colleague Senator Dawson, which tabled an excellent report on Canada in the digital age, or the other committees, such as legal affairs, chaired by Senator Fraser — and there are so many more — I am very impressed by the quality of the work they are doing. The ideas and discussion we see there will significantly advance public discourse in Canada.

I would also like to commend the excellent work of our francophone senators outside Quebec to promote bilingualism in the country every day. You are absolutely fantastic. I salute my

Senate colleagues from Quebec for their huge contribution to promoting the interests of their province. I have worked with many of them for 30 years, including Senators Joyal, De Bané, Dawson, Massicotte and Hervieux-Payette and, today, Senator Fraser. I also see Senator Fairbairn, with whom I served in the Trudeau government. I am very pleased to salute them all. They have been a source of motivation and inspiration, and I thank them for that. I will miss them greatly. It makes me very happy to see Denis Coderre, the chair of the Quebec Liberal caucus, who is here from the other chamber.

My congratulations to the Senate leadership, to Senator Cowan, Senator Tardif and our whip, who do excellent work for us. I also want to pay tribute to Senator LeBreton, whom I have known for many years and whom I hold in the highest regard, and to Senator Carignan, who was once the mayor of the largest city in my former riding. I sometimes wonder whether he voted for me when he was young and I was the member for Argenteuil—Deux-Montagnes, but I am not sure if he did.

As I leave, honourable senators, I would like to thank all of my Senate colleagues on both sides of the chamber.

[*English*]

I wish you well in your deliberations and hope that excessive partisanship may give way to openness and to consensus building that will ensure solutions will outlive the life expectancy of a given government.

[*Translation*]

Thank you also to you, Your Honour. I greatly admire the way you direct the work in this chamber. Thank you to the Clerk, his team and the Senate staff. Thank you also to our security personnel, who do their job effectively and with a smile.

I would now like to thank my own team: Charles Dufour, who is in attendance today and who has been my senior advisor since I arrived in the Senate, and Arlene Taillefer, my executive assistant.

[*English*]

My entire gratitude to my family, whose understanding and support allowed me to pursue my dreams. To my wife, Viviane, who has been a constant source of support over the years but who could not be here today, my heartfelt thanks, and also to my children who are here with me today; to my son John who is, and I am proud of it, former vice-president of the Toronto Community Housing Development Corporation and now CEO of Batawa Corporation; to my only daughter, Julianna, whom I always call ma fille préférée and who is legal counsel with Air Canada; to my son Daniel, who is a CA and who was a candidate for the Liberal Party in the last federal election, and he did it with a lot of courage and dignity; to my sisters, Marie-Hélène and Elizabeth; and to all of my friends and their friends who are with us here today, thank you for everything.

[*Translation*]

Thanks to you, I have had a fulfilling and fascinating political career; however, I recognize that, after so many years, it is time to move on to something different and to look at the future in a new

light. My future holds a return to Montreal to be with my family and a return to other challenges outside the political sphere.

The true richness of this country is its people. I am confident that future generations will be inspired by the same search for the common good and will be able to meet the challenges of their time with great success. They will thus provide their constituents with a vision and direction that will continue to make our country a society in which justice and prosperity triumph.

Thank you, and long live Quebec and Canada.

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I know that Senator Fox chose to announce his departure in the form of an inquiry and that he said that he did not want a session to be planned for tributes.

However, I told him that he could not stop me from speaking to this inquiry.

• (1450)

I would just like to say a few words about how Francis Fox has left his mark not only on Canada as a whole, but also on his region, the Saint-Eustache and Deux-Montagnes region, which we are both particularly fond of. Senator Fox was the MP for a riding called Argenteuil—Deux-Montagnes. He was elected in 1972, re-elected in 1974 and represented that riding until 1984. During that time, after changes to the electoral map, the riding was called Blainville—Deux-Montagnes and then Rivière-des-Mille-Îles, where I tried to succeed him, but without success.

Senator Fox was of course a cabinet minister in the Trudeau government; serving as Minister of Justice, Solicitor General and Minister of Communications. We can also credit him with the official adoption of our national anthem and the creation of Telefilm Canada.

The homage I wish to pay him here today has more to do with his riding. If you speak to the people of Rivière-des-Mille-Îles about Francis Fox, their eyes light up immediately. His name is still revered in that riding and in the entire region. He has made an indelible impression on the people of Rivière-des-Mille-Îles, and it continues to be felt today. It is often said that he is the one who put that region on the map. This only goes to show how much Francis Fox has marked Rivière-des-Milles-Îles.

He contributed to several local campaigns for the Millennium Foundation. He took part in the campaign to raise money for the Saint-Eustache hospital, the first major fundraising campaign for that hospital, which allowed it to purchase advanced medical equipment that has made a huge difference in the community.

I will never forget the comments and anecdotes of the organizers, since, as mayor, I had to meet with people like Denis Renaud, for example, and a number of other people who worked with Francis Fox.

He has a great deal of faith in humankind, perhaps because of the politics of his party, but much more because of who he is.

[Senator Fox]

Francis, on behalf of the people of Rivière-des-Mille-Îles, thank you very much for your contribution. We wish you good luck and a long and happy life. Enjoy your precious time with your wife and children.

If you are going to become a political organizer in Quebec, please do not come to our area. Stay a little further away.

Hon. Dennis Dawson: Honourable senators, I rise on the same inquiry and, should I forget to mention it, you can remind me a little later.

Francis, this is not the first time that I have not listened to you. Francis did not want any tributes. Therefore, we might hesitate to say anything good about him, but in any event I would like to tell him this: thank you on behalf of all the members of the Liberal Party in Quebec and Canada, and certainly on behalf of the members of the caucus on this side and former caucuses.

In the 1970s, I had the pleasure of serving with you in a caucus of 74 Quebec members, which was reduced to 14. Furthermore, it was written:

[English]

The Liberal Party is dead. Your friend Ian Macdonald this morning had a quotation in *The Gazette* saying that the demise of the Liberal Party is greatly exaggerated. They have announced us dead many times in the past and we are still alive and well and will continue.

[Translation]

I am sad, honourable senators, and I am also thinking of Senator Carignan. However, I think we will probably return to your riding, Francis, to help your son Daniel get elected.

When I arrived here 35 years ago, in June 1977, I was pleased to have access to the Fox network. Francis was a member of the French Power and one of the pillars of the Quebec caucus of the Liberal Party. I accessed his network immediately because his sister-in-law to be, Marie-Hélène Fox, was an assistant in my office and I dealt with his executive assistant, Claude, whom I see in the visitor's gallery. Their extensive contacts helped me to find my way quickly upon my arrival.

My admiration for Francis also made it possible for me to learn how to work. He has always been an inspiration to me when it comes to defending Quebec's interests in Ottawa.

He was an influential member of the French Power and he was criticized for a long time. However, I can tell you that the people of Quebec are certainly grateful because, in the past 50 years, those were the best years in terms of defending Quebec's interests and the presence of the French language in Quebec. It is unfortunate, but I hope, Francis, that those times will come again.

You boiled down your life to 20 years on Parliament Hill. I would like to add to that and talk about the years you were not here, that gap between 1984, when the Liberal Party of Canada was defeated — we took a beating in Quebec — and your

appointment to the Senate. You almost single-handedly took on running the Quebec wing of the Liberal Party of Canada. You held down the fort and worked so that the Liberal Party did not die, as many thought it would, but survived and returned to power in 1993.

You also played a huge part in the Liberal Party's return to power by helping rebuild the party in the province of Quebec.

Beyond those 20 years, you also contributed through your volunteer work for the City of Montreal, Montréal International and the Société du Havre de Montréal. I could send you his résumé, but it is fairly long. I would just like to say that his contribution is not limited to the 18 years he spent here. When he was not sitting in the House of Commons or the Senate, my friend Francis Fox — and I really enjoy saying that — was always the backbone of his family. I see his three children in the gallery.

The following story is for them. I have a daughter who is just finishing her law degree. She met Julianna when Francis was being sworn in. He and I were sworn in on the same day in the same place. At the time, my young daughter asked Julianna whether she liked law. And Julianna pitched common law, civil law and other types of law to her. My daughter will be finished articling in the next few weeks. I hope she will have an equally fine law career. Julianna, I thank you for encouraging her.

I also want to thank Francis. I mentioned what he had done for the party at the national level. I was there when Francis was doing battle to get the Access to Information Act passed, because even within our government, people were resisting these concepts, which might seem banal today, even with regard to the national anthem. This may come as a surprise, but the bill was not passed unanimously. There was opposition in those debates then. Francis stood up to his cabinet colleagues and to the members of the opposition and he stayed the course. Francis owes that accomplishment to his perseverance. I am not saying he is stubborn, because that is not a nice thing to say and we are here to pay tribute to him. He has always proven that contributing to public service is in itself a form of recognition.

Francis, on behalf of the caucus on this side of the chamber and the members of the Liberal Party of Canada in Quebec and in Canada, I want to thank you for everything you have done.

[English]

Hon. Michael Duffy: Honourable senators, I would like to associate myself with everything that Senator Dawson has already said. As someone who goes back about the same length of time here on Parliament Hill, I had the opportunity of knowing the honourable senator from a very early day. I hate to do the math, but I think Senator Dawson did. It is approaching 40 years.

During that time, we have heard all about the sterling qualities and intelligence of the senator, and all of that is true. He has been a model of decorum for Parliament in both chambers. He is someone whose charm, elegance, unfailing good humour and deep intelligence have made a mark on both sides. I could go on and on, but I want to end with one small anecdote.

Senator Hervieux-Payette: Go on!

Senator Duffy: Senator Hervieux-Payette says I can go on; that is the first time that has ever happened.

• (1500)

The day before he died, the Right Honourable John Diefenbaker called me. He called a lot of people; I guess he knew he was going to die. He called me and spoke for about half an hour. One of the things he spoke about was his memories. He did not say he was going to die; he just said, "You never come to visit me anymore; you are too busy now that you are on TV" and all the usual stuff.

I said, "As you look back, sir, whom do you remember?" He had a great admiration for Pierre Trudeau, even though he loved to spar with him in the House of Commons. However, he said, "Of all the stars I have seen on the floor of the House" — and I will not tell you what he said about Mr. Clark and some of the others — "the brightest young star that has not yet reached the zenith of where he will be is Francis Fox."

I said, "But he is a Liberal."

He said, "Ah, big boy, there are only a few who have it, and he has it."

He does. Bonne chance.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I would like to add a few words to the words that others have contributed to this inquiry.

I admired Senator Fox from afar for many years, and I followed his career with interest. I did not really get to know him until he went to work for Prime Minister Martin, and then, of course, we became colleagues here. As I have grown to know him, that admiration has deepened, and I have become more and more aware of how much all of us here in the Senate, and particularly those of us in the Liberal caucus, will miss his wise counsel and his vast experience.

It is easy for people to criticize the Senate and senators. They are free to do so, but it is people like Francis Fox who bring credit to places like this. When you want to point to an individual who brings credit to the institution of Parliament and to the institution of the Senate, there can be no finer example than our colleague, Senator Fox.

Senator Carignan, and Senator Fox, in his own modest way, pointed to a number of significant events in our parliamentary and legislative history where he had his fingerprints indelibly imprinted. That is a record that will live long after he leaves this place.

His contributions to public life in Canada are indeed significant, and he truly, to use his words, is one who has made a difference. If any of us, as we leave this place, either of our own volition or by reaching some magic age, can look back on our parliamentary careers and be able to lay claim to anywhere near the contributions that Francis Fox can, we should be very proud indeed.

While we lose his physical presence here in the Senate, we do not lose his friendship. He is going to Montreal, which is not that far away. Perhaps, on this side of the house, when we fail to live up to his high standards or when we miss the mark, we will hear from him. We look forward to that.

Francis, we regret that you are leaving us. We understand the legitimate reasons you have for taking this step, and we respect your decision. We will miss you, and we will value and continue to hold dear the friendship that we have for you.

Hon. Gerry St. Germain: Honourable senators, I had the honour and the pleasure of working with Francis in 1989. The Prime Minister of the day, Prime Minister Mulroney, asked me to chair the commission that is called after each federal election to review salaries and benefits of parliamentarians. He said to me, "Gerry, I am going to name Francis Fox."

At the time, I was a rookie, and I said, "What? A Liberal?"

He said, "Yes, one of the nicest and most decent men you will most likely ever work with."

I said, "That is great. I look forward to working with him."

Well, I did, and Francis, I want to thank you for being the gentleman that you are. I am sure your family is proud of you. I am just happy to see them here. I wish you well, and I wish your wife good health in the future. You epitomize decency.

Thank you, and God bless you.

[*Translation*]

Hon. Claudette Tardif (Deputy Leader of the Opposition): My dear colleague, it is with great emotion and sadness that we say goodbye to you here today. Many people have talked about the long and illustrious career you have had here on the Hill. We have heard about the extraordinary contributions you have made to Canada, to Canadians, to the Liberal Party, to the Senate and to our caucus. Indeed, the Senate has been enhanced by your experience, your wisdom and your savoir-faire. Very early in your career, you were identified as a man with a great deal of talent, a first-class individual and a true gentleman.

Personally, I would like to thank you for the support you have always given me, for your support for Canada's linguistic duality and francophone minorities.

Thank you. Happy retirement, Francis, to you and your family.

Given that this is an inquiry and we may want to talk about access to information, I move the adjournment of the debate.

[*English*]

The Hon. the Speaker: The honourable senator was going to propose the adjournment of the debate, but I was about to recognize Senator Moore.

Hon. Wilfred P. Moore: Honourable senators, I wish to be associated with the remarks made by fellow senators here today in regard to our friend Senator Fox.

Senator Carignan mentioned your work with regard to the establishment of Telefilm. That is but one of the great things you have done with respect to the creative people of our society.

Your work and recognition of the writers, the actors, the performing arts and the artists has been exemplary. It has been an absolute pleasure for me to rally behind your leadership as you led us through various issues dealing with that sector of our community, the culture of the creative. Francis, you really understood that group of unsung heroes in our community, who do not really get the credit and support they should get.

I want to thank you for that, and I wish you and your family all the best in the future.

Hon. Joan Fraser: Honourable senators, it is not possible to add to the long list of Francis Fox's achievements without taking up the whole day. They have been listed here today very eloquently.

There is one thing I do not think has been mentioned yet. The besetting sins of politicians, particularly those who become very famous and who achieve great things, are vanity and arrogance.

When you are a journalist, as some of us have been over the years, you sometimes get a ringside view of the vanity and the arrogance.

From the day I first met Francis Fox, as a human being instead of as one of the mob of journalists, I have seen, with wonderment, the degree to which those two failings are utterly absent from this man. Lord knows, he has plenty that he could have been vain and arrogant about, but that has not been part of his character. Those are, perhaps, some of the reasons that we have all been so profoundly grateful for the chance to work with him, to serve with him and to know him. It is a bit of a cliché to say that it has been an honour and privilege to work with someone, but the words have never been truer than in the case of Francis Fox.

• (1510)

Hon. Mobina S. B. Jaffer: I rise to say a few words about Francis Fox. Honourable senators have known him as a parliamentarian; I knew him when he was not a parliamentarian. When I first started working for Ted Rogers, Francis was already working for him. Francis took me under his wing and taught me how to work with Ted Rogers, if that is ever possible.

I am from Vancouver and he is from Montreal, but Francis did not look at the diversity or at who I was. He looked at me like a person who was struggling, and he reached out and helped. That is the mark that Francis is leaving in his legacy. Thank you, Francis.

(On motion of Senator Tardif, debate adjourned.)

[Translation]

MARKETING FREEDOM FOR GRAIN FARMERS BILL

MOTION FOR ALLOTMENT OF TIME FOR DEBATE ADOPTED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, pursuant to rule 38, there have been discussions between the deputy leaders of the government and the opposition and we have come to an agreement on the time to

be allotted to certain parts of the debate on Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts. I therefore move that:

1. no later than 6 p.m. on Thursday, December 1, 2011, the Speaker shall interrupt any proceedings then before the Senate and, notwithstanding any provisions of the Rules, put all questions necessary to dispose of second reading of the bill forthwith and successively, without further debate, amendment or adjournment, and with any standing vote requested in relation thereto not being deferred but being taken immediately, with the bells to ring only for the first vote requested and only for 15 minutes;
2. the committee to which the bill is referred have power to sit for the purpose of the study of the said bill at any time when the Senate may be sitting, and that rule 95(4) be suspended in relation thereto;
3. the committee to which the bill is referred be instructed to report the bill no later than Presentation of Reports from Standing or Special Committees during Routine Proceedings on Tuesday, December 13, 2011;
4. if the committee recommends amendments to the bill, the report shall be taken into consideration later the same day, notwithstanding rule 58(1)(g); and
5. in the absence of a report of the committee on the bill during Presentation of Reports from Standing or Special Committees on Tuesday, December 13, 2011, the bill be deemed reported without amendment; and

That the Senate neither suspend pursuant to rule 13(1) nor adjourn on Thursday December 1, 2011, until all proceedings relating to Bill C-18 on that day have been completed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

THE SENATE

MOTION TO ESTABLISH NATIONAL SUICIDE PREVENTION STRATEGY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Day:

That the Senate agree that suicide is more than a personal tragedy, but is also a serious public health issue and public policy priority; and, further, that the Senate urge the

government to work cooperatively with the provinces, territories, representative organizations from First Nations, Inuit, and Métis people, and other stakeholders to establish and fund a National Suicide Prevention Strategy, which among other measures would promote a comprehensive and evidence-driven approach to deal with this terrible loss of life.

Hon. Elizabeth Hubley: Honourable senators, I wish to speak to the motion. I have spoken with Senator Dallaire and, when I complete my remarks, I will adjourn the debate in his name.

Honourable senators, I am pleased to rise to speak in favour of the motion by Senator Dawson for the creation of a national suicide prevention strategy. I thank Senator Dawson for bringing forward this motion and bringing attention to this important and too often neglected aspect of national health.

Despite being one of the leading causes of death in our country, suicide has a stigma attached to it and we, as a society, still tend to shy away from discussing this national health issue and what we can do to prevent it. It is a serious health issue, especially among our youth and our Aboriginal and Inuit peoples.

On November 1, 2011, Statistics Canada released their latest report on causes of death in Canada. The information presented in this report is based on 2008 data and is currently the most recent compilation available. This report revealed that in 2008, 3,705 Canadians died from suicide.

That places suicide tenth on the list of all causes of death in this country. Suicide accounts for 1.6 per cent of all deaths — virtually unchanged from the year 2000 when suicide accounted for 1.7 per cent of all deaths. If we look a bit deeper into the information provided in this report, we easily find other astonishing data. First, suicide claims males three times more than females. When the data are broken down by gender, we see that suicide jumps from tenth on the list to seventh on the list of causes of death for males. Looking at the data by age group, we find that suicide is the second most common cause of death in the 15 to 24 age group and also in the 25 to 34 age group. Only accidents claim more victims in these groups.

It is the third most common cause of death from ages 35 to 44 and the fourth most common cause from ages 45 to 54.

• (1520)

The tragedy of suicide is particularly evident in our Aboriginal communities. Senator Dawson pointed out in his speech that the rate of suicide in First Nations people is double that of the general population and with Inuit people it is six to eight times higher. We can see this reflected in the Statistics Canada numbers. In the Northwest Territories, suicide is the fourth leading cause of death, and in Nunavut it is the second leading cause of death.

Honourable senators, let me add by voice to the chorus calling for a national strategy on suicide. It is time for action. Canada is falling behind other countries in this regard. Countries such as England, the United States, Australia, Finland and Sweden have all either developed a national strategy or are in the process of

developing such a strategy. Each of these countries has recognized the consequences of suicide. They have stood up and declared that suicide cannot be a shameful little secret anymore, that it is a national concern. They all recognize the importance of making suicide a national issue. They have recognized that not only is suicide a concern, but that it is often preventable. Timely and proper intervention can save many lives, allowing people to again be healthy and productive citizens and spare families and friends left behind grief and anguish.

Although we have to promote a national suicide strategy, we also have to put this in a broader context. In addition to a specific suicide strategy, mental health has to be recognized as an important component of public health. We need to equip people with the tools to deal with difficult times and with the knowledge and education that they will use throughout their lives. We need to have the system in place to deal with people in crisis, but we also need to give thought to how to keep people from reaching this point. The old adage of an ounce of prevention being worth a pound of cure also holds true in the field of mental health.

Honourable senators, I encourage you to support this motion for a national suicide strategy.

(On motion of Senator Hubley, for Senator Dallaire, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE PROGRESS IN IMPLEMENTING THE 2004 10-YEAR PLAN TO STRENGTHEN HEALTH CARE

Hon. Kelvin Kenneth Ogilvie, pursuant to notice of November 29, 2011, moved:

That notwithstanding the Order of the Senate adopted on June 23, 2011, the date for the presentation of the final report by the Standing Senate Committee on Social Affairs, Science and Technology on the progress in implementing the 2004, 10-Year Plan to Strengthen Health Care, be extended from December 31, 2011 to March 31, 2012.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Kelvin Kenneth Ogilvie, pursuant to notice of November 29, 2011, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have the power to sit on Friday, December 2, 2011, even though the Senate may then be sitting, and that Rule 95(4) be suspended in relation thereto.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

THE SENATE

MOTION TO URGE THE PROVINCE OF ONTARIO TO INSTITUTE A MORATORIUM ON THE APPROVAL OF WIND ENERGY PROJECTS IN THE UPPER ST. LAWRENCE-EASTERN LAKE ONTARIO REGION ADOPTED

Hon. Bob Runciman, pursuant to notice of November 29, 2011, moved:

That, in the opinion of the Senate, the province of Ontario should institute a moratorium on the approval of wind energy projects on islands and onshore areas within three kilometres of the shoreline in the Upper St. Lawrence-Eastern Lake Ontario region, from the western tip of Prince Edward County to the eastern edge of Wolfe Island, until the significant threat to congregating, migrating or breeding birds and migrating bats is investigated thoroughly and restrictions imposed to protect internationally recognized important bird areas from such developments.

He said: Honourable senators, I have introduced this motion because of my concern and the concerns of many caring Ontarians about proposals to develop wind farms in two designated Important Bird Areas at the eastern end of Lake Ontario — one on Amherst Island, off of Kingston and the second at Ostrander Point in Prince Edward County.

Ostrander Point, in beautiful Prince Edward County in Eastern Ontario, is a major rest stop for birds migrating to and from South and Central America. It is part of the Prince Edward County South Shore Important Bird Area and is near the Prince Edward Point National Wildlife Area, which has been recognized for its importance to migrating birds.

This site is described by Environment Canada as “one of the best areas for birds” in Southern Ontario. It is surprising that someone believes it is a good idea to put wind turbines on this spot.

As hard as it is to believe, the landlord, the owner of the property, is the Province of Ontario. Making matters worse, the company proposing this wind farm has applied to the provincial government for permission to damage or destroy habitat for two endangered species, the Blanding’s Turtle and the Whippoorwill. The application seeks permission, and I quote, to “kill, harm and harass” these endangered species.

A similar wind power project is planned for Amherst Island. This 75-megawatt turbine project has already been granted a licence by the Ontario government but has not yet been built. It is also located in an Important Bird Area. Up to 4 per cent of the entire population of Atlantic Brant have been recorded as congregating on Amherst Island in the spring. It is internationally recognized for its

concentration of wintering hawks and owls. One can be a fervent supporter of alternative energy and still see the problems with locating wind farms in Important Bird Areas. Nature Canada and Bird Studies Canada say this of Important Bird Areas:

For birds, they are literally the most important places on earth.

Much of my concern flows from the bird and bat kill rates experienced with the development of the wind farm on Wolfe Island, east of the two proposed projects and also in a designated Important Bird Area. Nature Canada says the kill rate of the Wolfe Island project is seven times the industry average in Canada, and noted American ornithologist Bill Evans states it is the second deadliest wind farm in North America.

Nature Canada has sounded the alarm about the Ostrander Point and Amherst Island projects but, unfortunately, they have been a voice in the wilderness, so to speak. Environmental groups one would expect to assist in protecting bird populations have been shockingly silent, in effect allowing green energy production to trump alarming bird and bat kill rates and even the threat to endangered species.

Honourable senators, the projects this motion is aimed at are now in the final approval stage, attaching urgency to the message we just approved, and I thank you again.

The cumulative effect of these projects built in important bird areas could be significant for many species, including species at risk. Clean, renewable energy should help, not harm, wildlife. I encourage all honourable senators to join me, which you have done.

Hon. Roméo Antonius Dallaire: Would the honourable senator accept a question?

Senator Runciman: Yes.

Senator Dallaire: Thank you very much.

Honourable senators, this summer I spent some time in the eastern part of a lake, and in particular in Prince Edward County, on leave, and visited the base at Picton, the army camp on top of the hill beyond the city. I looked at the infrastructure there, and then was made aware of the area where they wanted to put the wind farm and the work that was going on by National Defence to demine it, take away all potential ammunitions that might be there, because it used to be a big firing base for naval and air.

As the honourable senator has proposed that they should not put the infrastructure there, has there been a counterproposal of where to put the wind farm? As an example, could it be on top of that hill on that base, or would that still be within the flight path of the birds?

Senator Runciman: Honourable senators, I think we are talking about two different locations. The Ostrander Point project abuts the Prince Edward Point National Wildlife Area. I think the one the honourable senator is talking about, which one sees from the lake on the mountain south of Picton, is another project.

I was told at a meeting with some of the residents in that area recently that the proposals there include windmills that will be something like 510 feet high, or the equivalent of a 51-storey building. When one stands on the mountain and the lake south of Picton, one will see the windmills. They will be that high.

The area I am talking about is on a migratory bird path, which is under consideration, I am told, as a national park. I think that is another element to take into consideration.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY ISSUE OF CYBERBULLYING

Hon. Mobina S. B. Jaffer, pursuant to notice of November 29, 2011, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon the

issue of cyberbullying in Canada with regard to Canada's international human rights obligations under Article 19 of the United Nations Convention on the Rights of the Child;

That, notwithstanding Rule 92, the Standing Senate Committee on Human Rights be empowered to hold occasional meetings in camera for the purpose of hearing witnesses and gathering sensitive evidence; and

That the committee submit its final report to the Senate no later than October 31, 2012, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

• (1530)

(The Senate adjourned until Thursday, December 1, 2011, at 1:30 p.m.)

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